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Mrs. Selena McKay.

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MRS. SELENA MCKAY.

JUNE 29, 1897.—Ordered to be printed.

Mr. LINDSAY, from the Committee on Pensions, submitted the following

REPORT.

[To accompany S. 385.]

The Committee on Pensions, to whom was referred the bill (S. 385) granting a pension to Mrs. Selena McKay, have examined the same and report:

A similar bill was introduced in the first session of the Fifty-fourth Congress, reported favorably by the Senate and passed, and was reported favorably by the House.

The Senate report was as follows, which your committee adopt, and recommend the passage of the bill:

Mrs. Selena McKay is the widow of William McKay, who enlisted in Capt. C. C. Coffee's company of Florida Volunteers (Mexican war), January 8, 1847, which company was mustered into service at Fort Brooks, Fla., January 26, 1847. He was honorably discharged January 8, 1848, having served the full term for which he enlisted.

The records of the War Department show "that Capt. Allen G. Johnson's company Florida Volunteers, Mexican war (subsequently commanded by Captain Coffee), was called into service November 27, 1846 (letter of Secretary of War to Governor Moseley, of Florida), for the purpose of relieving the regular companies at Tampa Bay, as a garrison was needed there on account of the attitude of the Indians in southern Florida."

The companies relieved had been sent to Mexico.

Mrs. McKay was married to the soldier, William McKay, in December, 1860, her maiden name being Selena Stanley. She was never divorced from him and lived with him constantly until his death, which occurred June 29, 1884.

On the 18th day of May, 1894, she filed an application for pension, under act of January 29, 1-87, because of service of the deceased soldier, and was rejected by the Commissioner of Pensions on the ground that "claimant's husband was not in Mexican service sixty days, or on the coast or frontier or en route thereto." The case was appealed to the Secretary of the Interior, who affirmed the ruling of the Commissioner.

There are on file the affidavits of several of deceased soldier's comrades, in which they state emphatically that when the company was organized it was the understanding of each and every one who enlisted that they were enlisting in a company made up for Mexican service. It was some few hundred miles to Fort Brooks, where the company was mustered in, and when they arrived there the companies which they relieved had already proceeded to Mexico. After having drilled for some time Captain Coffee notified his superior that his command was prepared to move on to Mexico. He was advised to remain at Tampa Bay (Fort Brooks) to await orders to

move forward. It is alleged by two comrades in their affidavits that Captain Coffee did actually receive orders to advance, but before a start was made the order was countermanded.

These affiants swear that they are now pensioned by reason of service in the company.

There is no doubt but that the United States recognized the service of the aforesaid company as being connected with the Mexican war, for bounty-land warrants were issued to the members of that command, which is evidenced by the issuance to William McKay of warrant 71685-160-47, Mexican service.

The widow, Selena McKay, is now 60 years of age, broken in health by reason of asthma and general debility, as is evidenced by medical testimony, and is absolutely unable to earn a support by manual labor. There are also on file statements of the county officials, which show conclusively that Mrs. McKay is without means of support, has no one upon whom she can depend, and has, in fact, been a charge on the county commissioners for some time past.

The object of this bill is to grant Mrs. McKay a pension because of the services of the deceased soldier, her relation to him, and her present physical and financial condition.

Your committee are of the opinion that the widow is entitled to relief because of the soldier's service, and recommend an allowance of \$8 per month.